

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIFFANY BRAY on behalf of herself
and as next friend of T.J., a minor,

Plaintiffs,

Case No. 12-12618
Honorable David M. Lawson

v.

FELLOWS CREEK APARTMENTS, L.P.,

Defendant.

ORDER GRANTING MOTION TO APPOINT NEXT FRIEND

The matter is before the Court on Tiffany Bray's motion to be appointed next friend for T.J., her minor daughter. Tiffany Bray has sued defendant Fellows Creek Apartments, L.P. for damages sustained when she and T.J. were exposed to carbon monoxide released by a stove in an apartment complex owned by the defendant. Federal Rule of Civil Procedure 17(c) allows a minor without a guardian or conservator to sue by a next friend or by a guardian ad litem. Under Rule 17, "[t]he court must appoint a guardian ad litem — or issue another appropriate order — to protect a minor . . . who is unrepresented in an action." Fed. R. Civ. P. 17(c)(2). Tiffany Bray has indicated that she is the minor's natural mother, and the Court finds that appointing Tiffany Bray as next friend will protect T.J.'s interests.

Accordingly, it is **ORDERED** that Tiffany Bray's motion for appointment of next friend [dkt. #36] is **GRANTED**.

It is further **ORDERED** that Tiffany Bray is appointed as next friend of T.J. for the purpose of prosecuting this lawsuit.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: November 21, 2012

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 21, 2012.

s/Deborah R. Tofil
DEBORAH R. TOFIL